

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Steven D. Potter  
Application #: 09/832,644  
Filed: 4/11/2001  
Title: Balancing Skateboard

Art Unit: 3618  
Examiner: Jeffrey J. Restico  
Confirmation #: 1632

Commissioner of Patents and Trademarks  
Washington, DC 20231

FAX RECEIVED

JAN 27 2003

RESPONSE TO FINAL ACTION MAILED 10/29/2002

GROUP 3600

Election of Species

Applicant re-affirms the election of species A without traverse to prosecute claims 14-17, 19-22, and 24-26. Claim 14 is generic.

Responsive to the Official Action mailed 5/7/2002, Applicant makes no changes to the specification or the claims.

REMARKSThe Office Action

Claims 14-17, 19-22, and 24-25 were examined. Claim 14-17, 24 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yu (5,428,022) in further view of Namiki (6,428,022). Claims 19-22 stand rejected as being unpatentable over Yu and Namiki in further view of Sheldon (4,082,306).

35 U.S.C. 103

In the following text, Applicant will make the following arguments:

1. The Namiki reference is inadmissible since its first publication does not predate the present invention.
2. With or without the Namiki reference, the present invention meets the historic standard for non-obviousness in this class of art.
3. Even if Namiki were admissible, his invention does not allow independent control of the front and rear wheels. Nor is there any other

#1  
Response  
1-2003  
VW